# GOVERNMENT OF MYSORE

## LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR)

*Labour Dispute* :—Industrial Dispute between the workmen and the management of Co-operative Hospital Society, Hubli.

Award of the Labour Court, Hubli published.

Read the following papers :

(1) Letter No. 167/66-67, dated 4th February 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

## IN THE LABOUR COURT AT HUBLI

*Dated 3rd February* 1967

Reference (ID) (LCH) No. 41 of 1966

Present

Sri Syed Azizuddin Ahmed, M.A., B.L., Presiding Officer.

Between

Miss Susheela S. Tatapatti, Christian Colony, Near City Power House, Hubli.

*I Party*

and

The Management of Co-operative Hospital Society, Hubli.

*II Party*

This is a reference under section 10(1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 213 LLD 66, dated 28th July 1966. The points of dispute referred for adjudication are as under :—

"Whether the dismissal of Miss Susheela S. Tatapatti, with effect from 6th March 1966 by the Hubli Co-operative Hospital Society authorities is justified ? If not, to what relief she is entitled to ?

2. Sri M. A. Choudhari, Advocate appeared for the I Party while Sri V. N. Apte appeared for the management of Co-opeartive Hospital Society, Hubli, the II Party. In respose to the notices issued by the Court, the parties entered appearance and filed their pleadings dated 14th September 1966 and 10th October 1966 respectively.

3. In the instant reference we find a sorry spectacle of a frail member of the fair sex pitted against the management of The Co-opeartive Hospital Society, Hubli. For a proper appreciation of the true nature of the controversy between the parties, I may briefly descibe the undisputed facts of the case. The whole episode revolves round one Siddangouda, Yellappagouda Kurtkoti of Ibrahimpur, a money-bag, who was in the hospital from 6th January 1966 to 17th February 1966 as an indoor patient for peptic ulcer and stomach ache. I have used that during his stay in the hospital as an inpatient he was carrying hundred rupee notes in the pocket of his terelyne shirt. The exact words used in his complaint, Ex. M-1 read thus:

"ಆ ಪೋಲಿ ನನ್ನ ಬಳಿಯಲ್ಲಿ ಚೀಲದ ಶರ್ಟನ ಎದೆಯ ಪೋಲ್ಕಾಗದ ಕಿಸೆಯಲ್ಲಿಯ ೧೦೦ ನೋಟುಗಳನ್ನು ನೋಡಿ ನನ್ನ ಜೋಬಿಗೆ ಪೋಲಿಯ ಪೋಲೆ ಬರ ಹತ್ತಿದ್ದಾ."

Sri Siddangouda lodged a complaint, Ex. M-1, dated 7th February 1966 against Susheela Tatapatti, the I Party to the Chairman of the hospital. On receiving this complaint, the aggrieved workman was interrogated about it. She refuted the allegations made therein. Thereupon, the management appointed one Sri R. K. Shevade, a member of the Managing Committee to hold an enquiry. The Enquiry Officer duly held an enquiry and submitted his report Ex. M-3. After considering the report Ex. M-3, the Managing Committee passed a resolution Ex.-M-24, dismissing Miss Susheela from service with effect from 6th March 1966 and Ex. M-6 is the dismissal order passed on the basis of this resolution. Curiously enough after passing the dismissal order, it dawned upon the management that the principles of natural justice had been violated in holding the enquiry. Thereupon, they revoked the dismissal order and embarked upon to hold a fresh enquiry. This time, they appointed a three men committee consisting of Sriyuths R. K. Shevade, Jamashedji Belgaumwala and G. S. Yelmali to hold an enquiry afresh. Later Sri R. K. Shevade resigned from the membership and he was

replaced by one Sri Raibagkar. This time, the charge-sheet as per Ex. M-19 was issued to the aggrieved workman and she was asked to face this trial. This is a very important piece of document and I shall reproduce it *in toto*:

## THE CO-OPERATIVE HOSPITAL SOCIETY

Ref. No. 10/A/42/66-67 *Hubli* 11*th April* 1966

To

Miss Susheela, S. Tatapatti,
Christian Colony, Near City,
Power House, Hubli.

It has come to the notice of the Management of our Hospital from Mr. Siddangouda, Yellappagouda, Kurtkoti of Ibrahimpur who was an Indoor patient in our Hospital from 6th January 1966 to 17th February 1966 and others that during his stay in the Hospital you tried to develop intimate relation with Shri Siddangouda by visiting his room often and at odd hours like mid-night or early morning without any reason whatever with a view to earn money from him.

When this matter was reported by Siddangouda, to some members of the Managing Committee, you brought your brothers and friends at about 7-0 P.M. on 14th February 1966 in the Hospital premises and assaulted Siddangouda at your instigation in the presence of Hon. Secretary Dr. R. S. Kumbhkonum.

Please note that the above alleged acts on your part if proved amount to serious misconduct on your part as your behaviour in the Hospital premises amounts to subversive act on your part and acts of indiscipline.

You are therefore called upon to submit your written explanation to under-signed to the above said charges within 8 days from the receipt thereof and attend the enquiry between 5 P.M. and 6 P.M. on 27th and 28th of April 1966 in the Office of the Co-operative Hospital Society, Hubli and continue to

attend the same till it is over, and cross-examine the witnesses mentioned below :—

(1) Siddappagouda, Yellappagouda Kurtkoti.
(2) Dr. R. B. Patil.
(3) Narayan Puri.
(4) Joachim, Ward boy.
(5) Krishna, Ward boy.
(6) Gunnamma Gunjal.
(7) Ningangouda, R. Konnur, Attigeri.

and examine your own witnesses if any.

In case you fail to attend the enquiry, the enquiry will be held and completed in your absence.

The above enquiry will be held by the Board of Enquiry consisting of Messrs. (1) G. S. Yelamali, (2) J. H. Belgaumwala, and (3) Dr. A. K. Raibagkar of Hubli, appointed by the Managing Committee by resolution No. 1 dated 11th April 1966.

Yours faithfully,

DR. R. S. KUMBHAKONUM,

*Hon. Secretary,*
*The Co-operative Hospital Society, Hubli.*

Admittedly the I Party refused to attend this enquiry. The Board of Enquiry completed the enquiry *ex-parte* and submitted its report page Nos. 38 to 50 which form part of the entire file marked Ex. M-23. After receiving this report, the management passed another resolution Ex. M-27 dismissing her with effect from 22nd March 1966. This is one aspect of the matter.

4. The case of the aggrieved workman Miss. Susheela is that Siddangouda was an indoor patient, who was indulging in wine and women in the hospital. He used to carry a gun with him and threaten her and other servants of the hospital. She

brought this to the notice of Sri Sirahatti, Head Clerk and to the various doctors there but to no useful purpose. She was so much taken up by fear that she had to lodge a complaint with the local police. The draft of the complaint has been filed and marked Ex. W-2. In the usual manner, the police paid scanty heed to this complaint. The P.S.I., Hubli Town sent her an endorsement, which has been filed and marked Ex. W-3. I shall reproduce this endorsement in full.

"With reference to your application dated 20th January 1966 the enquiry has been conducted about your application. It is learnt from the Co-operative H. Authority that Shri Siddappa Yellappa Kurtkoti of Ibrahimpur has been discharged from Hospital. Hence your application is filed.

Yours faithfully,

(Sd.) .....

*P.S.I., Hubli Town.*

Thus, Miss Susheela was left in a bad predicament. She, admittedly, did not take part in the second enquiry. She took the stand that as she had already been dismissed the management was not competent to hold an enquiry against her afresh. She assailed the order of dismissal Ex. M-6 on diverse grounds. The chief among them are:

that it is an arbitrary order not based on sound legal principles and principles of natural justice, no show cause notice was given to her and no charge sheet was framed against her, the copy of the complaint was not furnished to her, she was not given an opportunity to defend herself, no reasons have been assigned in the order of dismissal, the bye-laws of the Hospital do not provide for dismissal, etc.

5. The II Party contraverted the claim allegations one by one in detail, in its Counter Statement. Among other things it took the stand that the reference is bad in law and that this Court has no jursdiction to try it. The order of disimissal embodied in Ex. M-6 has been revoked by the management and

has been substituted by a different order of dismissal passed after holding a fresh enquiry by a board. Hence, this reference does not survive. On the basis of these pleadings, in addition to the point of dispute specified in the order of reference, the following issue was raised:

> "Whether the reference is bad in law and whether this Court has jurisdiction to hear the same?"

Sri V. N. Apte, the learned representative of the II Party stated that he would not press the point whether the Hospital is or is not an industry. The II Party examined 2 witnesses and closed the evidence and in rebuttal the I Party examined herself and closed the evidence. 11 documents were marked as Exhibits on behalf of the I Party while 27 on behalf of the II Party.

## FINDINGS

The point of dispute is specified in the order of reference and the issue framed by this Court are inter-twined and they may, better, be discussed together.

5. I shall first discuss the objection raised by Sri V. N. Apte, the learned representative of the II Party that this reference is bad in law and that this Court has no jurisdiction to hear it, since original order Ex. M-6 dated 5th March 1966 has been cancelled by the management. She was automatically reinstated and her dismissal, which was to take effect from 6th March 1966 automatically came to an end. Thus, the reference does not survive. According to him, what now stands is her second dismissal. He further argued that it was open to the management to revoke the first dismissal order and to hold an enquiry against her afresh. He cited the decision of our own High Court reported in 1965 (1) LLJ page 353 (between Mysore Machinary Manufacturers, Limited and Assistant Commissioner of Labour and Conciliation Officer) and also another decision of our High Court in Writ Petition No. 925 of 1963 (West Coast Paper Mill Limited by its Principal Officer, Secretary and Power of Attorney holder C. L. Maheshwari *Vs.* The Presiding Officer, Labour Court, Hubli and Vishnu Devidas Kadwadkar, Company's Stores

Keeper, Store No. 2, West Coast Paper Mill Limited, Dandeli) in Application (LCH) No. 209 of 1965 on the file of this Court. In both these cases, the management had passed the order of dismissal against their employees and had sought permission of the Labour Court Under section 33 (2) (b) of the I. D. Act. In the first ruling the employer had cancelled the order of dismissal made on 17th July 1963 and had again passed the second order of dismissal on 28th July, 1963 on the very same grounds on which the previous order of dismissal were passed. In the second ruling the learned Judges of the High Court had observed:

> "Our conclusion that the enquiry held does not accord with the principles of natural justice does not preclude the petitioner from holding a fresh enquiry in accordance with law."

On the basis of these decisions, the learned representative of the II Party stressed that it was certainly open for the management to revoke the order of dismissal and passed the second order. He also referred to P.C.R. 1961 page 189, wherein it has been observed that the court should take notice of facts, which happen after the institution of the proceedings.

6. Sri M. A. Choudhari, the learned representative of the I Party submitted that the findings of a domestic tribunal are the findings of a quasi judicial body. They are neither administrative orders nor executive orders. The management having passed the dismissal order and having pronounced it was not competent to revoke its own order and substitute it by another. He argued that the ruling cited by the representative of the II Party are distinguishable and are not applicable to the facts and circumstances of this case. According to him, it was not out of regard for principles of natural justice, equity and good conscience and certainly not out of any sympathy for the I Party but it was done with an ulterior purpose to serve their own ends. In the instant case in view of the erudite rulings cited by the learned representative of the II Party, I hold that it was open for the management to cancel the first order of dismissal and to hold an enquiry afresh. It was not proper on the part of the I Party to have refused to participate in the second enquiry. But the question stands whether this reference survives? I hold that this reference does survive. In the cicumstances, of

the case, it is not the date, which is the essence of the matter. It is the dismissal of the workman as such. The second dismissal is only incidental to the main enquiry whether the management was justified in dismissing the workman. The first enquiry report Ex. M-3 submitted by Sri R. K. Shevade is amateurish and it is hottentot in nature. In his report he observes—

> "In due course of enquiry, it was noted that Sharanayya, Watchman was seen in the room of Siddangouda and he himself admitted that he was sitting in his room and taking meals served by him all the while, while he was an indoor patient here. Even though he was seen in his room during off hours it is not advisable to attend the patients and form intimacy with them. So I am of opinion that Watchman Sharanayya is to be fined Rs. 10 for his conduct."

7. What a wonderful enquiry! The enquiry was held against Miss Susheela and along with her dismissal one Sharanayya, a watchman is fined Rs. 10 a person, who was never called upon to face the enquiry. Sri R. K. Shevade has examined six persons. They are (1) Sri Shirahatti, (2) Narayan Krishnaji Puri, (3) Joachin Antony, (4) Gunnamma Gunjal, (5) Krishnappa Ramappa Boodnaikar and (6) Ningangouda Ramangouda Konnur. There is absolutely nothing in the statements of the witnesses implicating Miss Susheela of the charges that have been levelled against her. I perused carefully the complaint of Siddangouda Ex. M-I. It is a piece of trash. It appears to be a narration of some loose talk Miss Susheela had with him. The question is why did he encourage this loose talk by Miss Susheela. He has made himself liable for defamation not at the hands of Susheela only but at the hands of several others, whose names he has mentioned therein. This complaint does not appear to have been made with *bona fide* intention. The clear object of this application appears to be to absolve himself of the charges levelled against him by Miss Susheela. Even the witnesses, while not stating anything clinching against Susheela, have attempted to give a clean certificate of good conduct to Siddangouda. In view of these statements of the witnesses, it was the clear duty of the management to have absolved Miss Susheela of the charges levelled against her. After all what are the charges against her? The management

does not say that Miss Susheela had invited Siddangouda for sexual intercourse in the hospital. At best they amount to saying that she played at love with Siddangouda. This all depends upon one's mental attitude. On the face of it, this appears to be trumped-up charge. It is in the statement of Siddangouda that he was staying in the hospital as an indoor patient along with his sister to attend upon him. When there was another woman in the patient's ward, it would not have been possible for Miss Susheela to play at courtship with Siddangouda. Besides, he was a patient with peptic ulcer and stomach ache. Siddangouda of his own admission was a patient carrying hundred rupee notes in his terelyne shirt pocket. The irresistible inference is that his peptic ulcer was not so acute, he was there casting nets on the hospital nurses and in the manner of a frustrated hero of a cinema film, he thought upon to take revenge upon Susheela by makihg this complaint at the instance of Sri R. K. Shevade, one of the members of the Managing Committee and a person, who had held the first enquiry. In his statement made before the Board of Enquiry he has stated thus :

"ಶ್ರೀ ಶೇವಡೆಯವರು ನನಗೆ ದಾಯಿಯಿಂದ ಹೇಳಿದ್ದಕ್ಕೆ ಏನೂ ಮಾಡಲಿಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ನೀವು ಲಿಖಿತ ಕಂಪ್ಲೇಂಟ ಬರೆದುಕೊಟ್ಟರೆ ವಿಚಾರಿಸಲಾಗುವುದು ಅಂತಾ ಹೇಳಿದ್ದರಿಂದ ನಾನು ಲಿಖಿತ ಕಂಪ್ಲೇಂಟ ಕೊಟ್ಟಿದ್ದೇನೆ."

When Siddangouda had narrated this cock and bull story to Sri R. K. Shevade, it was his duty as a responsible member of the Managing Committee to have snubbed him saying that he had more important job to attend to and that he had no ears to lend to such stories. Obviously, Siddangouda was encouraged to make this complaint. Dr. R. S. Kumbhakonam, Hon. Secretary of the II Party, M.W. 1 deposed to the first and the second enquiry and filed the documents which were marked as exhibits in the case. He further stated that on the following day, the complaint was made, i.e., on 14th February 1966 in the evening Miss. Susheela with her brother and friends entered the hospital premises and in front of his office dragged Siddangouda and started quarlling with him. He separated them and sent Siddangouda to the office-room. I am prepared to give credence to this piece of statement of the learned doctor, but what does this piece of statement establishment ? It only shows that some people had entered the hospital and quarelled with Siddangouda. The responsibility for this cannot be pinned to Miss Susheela. When

this alleged quarrel had started it was the clear duty of the witness to just ring up to the police to take charge of the miscreants. The Board of Enquiry has examined 10 witnesses including Sri Siddangouda. I went through the statements of these witnesses. There is nothing in these statements also barring vague allegations that Miss Susheela used to frequent the room of Siddangouda, make tea and part-take of it along with other servants. Anyone who has just visited a hospital and seen the atmosphere there would testify to the fact that the hospital nurses are, a privileged class. They are there to flash beams of smiles on the sick patients to sweeten their lives and bring joy and happiness to them. They visit the patients at odd hours even wake them up to administer medicine. They approach the doctors at odd hours and inform them about the condition of the patients, who are in a critical state. They are there neatly and smartly dressed and moving about in the hospital. Should a person see a nurse smiling and feel that she has fallen in love with him, he only needs psychiatrist to examine him. The report of the Board of Enquiry is of a rambling nature. The report only shows that the members did not bring to bear an impartial mind upon the enquiry. Otherwise, in the absence of any cogent evidence, they could not have come to the conclusions they have arrived at. The findings of the board, to say the least, are perverse. Above all, even the second dismissal order is vitiated by an error apparent on the face of the record. I have already reproduced the charge-sheet Ex. M-19. It is a show cause notice-*cum*-charge-sheet. It does not list the punishment proposed to be awarded. Where show cause notice does not list the punishment proposed, the punishing authority should issue a show cause notice mentioning, the punishment proposed. In the instant case obviously no show cause notice has been issued to Miss Susheela mentioning the punishment proposed to be given to her. The resolution Ex. M-27 cannot dispense the necessity of issuing such a show cause notice. In this view of the matter, the second resolution would have no legal effect. I shall next refer to the deposition of Miss Susheela W.W. 1. It is an lawful tale. She deposed that on 13th February 1966 the Secretary Sri R. S. Kumbhakonam, Sri A. V. Desai, Chairman and Sri R. K. Shevadi called her to the office. They showed her on envelope and stated that a complaint had been received against her from one Siddangouda. She asked them to furnish

a copy of the complaint. They refused to do so. Sri R. K. Shevade abused her saying that she was of a bad character and that she was carrying prostitution with the hospital patients and that there were complaints against her. On the following day, when she came to attend to duty Dr. V. K. Naregal, Joint Secretary asked her to see Sri R. K. Shevade in nice dress and other members also. She refused to do so saying that she would meet them in office and that she would not see them at their residences. She further deposed that Siddangouda was an indoor patient in the hospital. He used to indulge in wine and women. He was having a gun with him in the special ward. He used to threaten her and others with his gun. I may pause here to mention that Siddangouda has admitted that he was having a gun with him while he was staying in the hospital as an inpatient. The reason offered by him for carrying the gun was lest it should be misused by his servants, he brought it to the hospital. A very strange explanation ! She brought the behaviour of Siddangouda to the notice of Shirahatti, H.G., but he did not take notice of it. She informed this to Dr. R. B. Patil, Chief Medical Officer, to Dr. V. K. Naregal, Joint Secretary during his rounds and to Dr. R. S. Kumbhakonam, Secretary when he came on night round. Nobody took notice of her complaint. Siddangouda threatened her saying that he would kill her after she leaves the hospital. On 20th January 1966, she lodged a complaint as per Ex. W-2 with the local police. I need not repeat the contents of his report. It is regarding the misbehaviour of Siddangouda in offering her threats with his gun. Ex. W-3 is the endorsement received by the P.S.I., Hubli Town. This has also been reproduced above. From this document Ex. W-3, I could infer that Siddangouda was a person having considerable influence over the local police. The police should be a terror to law-breakers and a friend to those in distress. Herein, the P.S.I. replies to the complainant that as Siddangouda has been discharged from the hospital, the application is filed. It was the boundened duty of the police to investigate is field. matter, take action against Miss Susheela if her complaint had been a false one or to see that Siddangouda was brought to book. Nothing of this kind appears to have been done. When Miss Susheela was in the witness-box Sri V. N. Apte put her a question whether she was present on 21st February 1966 and 22nd February 1966 during the enquiry by Sri R. K. Shevade and whether she had refused to sign the questions and answers

taken during the enquiry. I disallowed this question for the reason that Miss Susheela had clearly stated in the cross-examination itself that she was not present when the management witnesses were examined. Under the circumstances, the question of her refusal to sign the papers does not arise. It is to be borne in the mind that this is a question in respect of an enquiry which has been set at naught by the management itself. This is in short the back-ground of the matter. The management has not shown the mellowness associated with maturity. They have played in the hands of Siddangouda and taken action against Miss Susheela. Whatever might have been her acts of commission or omission, there is nothing on record to support the charge that has been framed against her. The charges are obviously vague in nature. I have no hesitation in holding that the hospital autorities were not justified in dismissing Miss Susheela S. Tatapatti. When the Court comes to the conclusion that the dismissal was not justified, the normal order that would follow would be one of reinstatement. But in the instant case Miss Susheela does not ask for reinstatement and rightly too. She has narrated the reasons for not asking for reinstatement. When there was such an open rebuke of her in the office that she was a woman of easy virtues and was indulging in prostitution, how could it be possible for her to work in the same institution. I also feel that the order of reinstatement would not be a proper order in the instant case. Miss Susheela has claimed the following reliefs :

Rs. 1,105 being the salary from 6th March 1966 plus all benefits of service, privileges, increments, etc., Rs. 500 towards Provident Fund, Rs. 5,000 for traumatic shock, mental distress feeling of degradation for defamatory statements and for numiliation and defamation. Rs. 1,000 towards expenses incurred for seeking employment elsewhere, Rs. 500 being the expenses towards medical treatment taken by her, Rs. 39,000 towards prospective damages.

7. From the documents Exs. W-6 to W-9 it is found that her applications for appointment in other institutions have been overlooked for the reason that she was a dismissed employee. Dr. R. B. Patil in his statement before the Board of Enquiry has admitted that he did not give her the Character Certificate.

There is no denying of the fact that Miss Susheela had put in 5 years of service in the hospital and that at the time of her dismissal she was working as an Auxiliary Nurse and as per her statement, which has not been rebutted she was drawing Rs. 130 per month by way of salary. She could have continued in service for another twenty-five years in the usual course. The point for determination is what would be the reasonable amount of compensation she would be entitled to, when she is not being reinstated in service. She has put in a very ambitious claim amounting to several thousands of rupees. In 1957 (2) LLJ page 696 (between Shetty (S.S.) and Bharat Nidhi Ltd., Their Lordships of the Supreme Court have observed :

> "Such computation has relation only to the date from which the reinstatement of the workman has been ordered under the award and the Industrial Tribunal would have to take into account the terms and conditions of employment, the tenure of service, the possibility of termination of employment at the instance of either party, the possibility of retrenchment by the employer or resignation or retirement by the workman and even of the employer himself ceasing to exist or the workmen being awarded various benefits including reinstatement under the terms of future awards of Industrial Tribunals in the event of industrial disputes arising between the parties in the future."

The same principles can be deduced from another ruling of the Supreme Court reported in 1961 (2) LLJ page 113 (between Victor Oil Company, Limited and Amarnath Das and others). In the instant case Miss Susheela would be entitled to her salary from the date of dismissal, *i.e.*, 6th March 1966 to the date of the present award in a sum of Rs. 1,417.32. The chances of her getting employment elsewhere seem be dim. In view of the fact that she had rendered five years of service and had yet to serve for twenty-five years more and that she was drawing a salary Rs. 130 p.m. at the time of her dismissal, I allow her a compensation of Rs. 5,000. This should serve the ends of justice. She is not entitled to any other reliefs she has prayed for.

## AWARD

The dismissal of Miss Susheela S. Tatapatti with effect from 6th March, 1966 by the Co-operative Hospital Society authorities is not justified. The alleged dismissal with effect from 22nd March, 1966 is incidental. She is entitled to receive Rs. 1,417.32 towards her back-wages and a sum of Rs. 5,000 by way of compensation for non-reinstatement in service. The parties to bear their own costs.

*Place* : HUBLI

SYED AZIZUDDIN AHMED,
*Presiding Officer,*
*Labour Court, Hubli.*

*Date* : 3-2-1967

Reference (ID) (LCH) No. 41 of 1966

*List of witnesses examined for the I Party*

W.W. 1 Miss. Susheela S. Tatapatti.

*List of witnesses examined for the II Party*

M.W. 1 Sri R. S. Kumbhakonam.

M.W. 1 Sri S. D. Shirhatti.

*List of documents marked for the I Party*

Exhibits

W-1 Letter by W.W. 1 dated 17th February 1966 addressed to II Party.

W-2 Letter dated 20th January 1966 addressed to the Town P.S.I. Hubli by W.W. 1 (copy).

W-3 Reply from Town P.S.I. Hubli dated 22nd February 1966.

W-4 Copy of the proceedings of conciliation meeting held, dated 19th April 1966.

W-5 Letter dated 27th August 1966 from West Coast Paper Mills, Dandeli addressed to W.W. 1.

W-6 Endorsement dated 24th January 1967 from the District Health and Family Planning Officer, Shimoga issued to W.W. 1.

W-7 Letter dated 17th September 1966 from Anjuman Khairul Islam Medical Centre Bombay addressed to W.W. 1.

W-8 Letter from K. M. C. Hospital, Hubli to W.W. 1 dated 13th August 1966.

W-9 Letter from Hubli-Dharwar Municipal Corporation, Hubli, addressed to W.W. 1 on 16th August 1966.

W-10 Cash bill dated 25th April 1966 from Dr. Math, Hubli.

W-11 Appointment order dated 3rd September 1961 issued to W.W. 1 by II Party.

*List of documents marked for the II Party*

Exhibits

M-1 Complaint dated 7th February 1966 by Siddangouda Patil given to II Party.

M-2 Letter dated 18th February 1966 by II Party to Sri R. K. Shevade, Hubli, for holding an enquiry.

M-3 Report of Sri R. K. Shevade dated 3rd March 1966.

M-4 Letter from Dr. R. B. Patil to Sri R. K. Shevade.

M-5 Letter dated 21st February 1966 by Sri Shirahatti to R. K. Shevade.

M-6 Letter dated 5th March 1966 by II Party to W.W. 1.

M-7 Letter dated 7th March 1966 by W.W. 1 to II Party.

M-8 Letter dated 10th March 1966 by II Party to W.W.1.

M-9 Letter from W.W. 1 to the Assistant Lobaur Commissioner, Belgaum Division Hubli (copy).

M-10 Registered Notice dated 15th March 1966 by W.W. 1 to II Party.

M-11 Letter dated 19th March 1966 by the Assistant Labour Commissioner Belgaum Division, Hubli to the II Party.

M-12 Copy of letter dated 21st March 1966 by II Party to the Assistant Labour Commissioner.

M-13 Notice of conciliation dated 14th April 1966 by the Assistant Labour Commissioner, Hubli.

M-14 Copy of letter dated 9th April 1966 addressed to the Assistant Labour Commissioner, Hubli by W.W.1.

M-15 Copy of letter dated 15th April 1966 addressed to the Assistant Labour Commissioner, Hubli by the II party.

M-16 Letter dated 14th April 1966 by W.W. 1 to the Assistant Labour Commissioner, Hubli.

M-17 Letter dated 18th April 1966 by the Assistant Labour Commissioner, Hubli to the II Party.

M-18 Copy of letter dated 22nd March 1966 by II Party to W. W. 1.

M-19 Copy of letter dated 11th April 1966 to W. W. 1 by II Party.

M-20 Copy of letter dated 1st April 1966 by II Party Sri R. K. Shevade and two others.

M-21 Letter by Sri R. K. Shevade to II Party dated 3rd April 1966.

M-22 Letter dated 18th April 1966 by W.W. 1 to II Party.

M-23 File containing the proceedings of enquiry.

M-24 Copy of the resolution dated 5th March 1966 made by II Party.

M-25 Copy of the Managing Committee Resolution dated 22nd March 1966.

M-26 Copy of the Managing Committee Resolution dated 11th April 1966.

M-27 Copy of the Managing Committee Resolution dated 13th August 1966.

*Place* : HUBLI

*Date* : 3-2-1967

SYED AZIZUDDIN AHMED,

*Presiding Officer,*
*Labour Court, Hubli.*

## ORDER

*Bangalore, dated 9th February* 1967

S.O. **685** .—WHEREAS by State Government Order No. PLM 213 LLD 66, dated 28th July 1966 the Industrial Dispute between the workmen and the Management of Co-operative Hospital Society, Hubli, was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 213 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

*Under Secretary to Government,*
*Labour and Municipal Administration Department.*